

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT TACOMA

UNITED STATES OF AMERICA,)
)
Plaintiff,) No. CR14-5246BHS
)
vs.)
) ORDER ON DEFENDANT'S
ROGELIO RAMIREZ-HERRERA,) MOTION TO CONTINUE
) PRE-TRIAL MOTIONS CUTOFF
Defendant.)

Before this court is a motion to continue the pre-trial motions cutoff presently set for December 30, 2014.

Plea negotiations in this case are ongoing and additional time is needed to attempt to reach a resolution. Additionally, a continuance is also requested as counsel for the defendant will be on vacation from December 26, 2014 until January 4, 2015, and, therefore, will be unavailable to prepare motions on behalf of Mr. Ramirez-Herrera.

Mr. Ramirez-Herrera is aware of this motion, and has no objection.

AUSA Gregory Gruber is aware of this motion and has no objection to this request.

Zenon P. Olbertz, counsel for Mr. Meza-Orozco, is aware of this motion and has no objection to this request.

That the court finds, after a consideration of all relevant information (including the affidavit filed by Brett A. Purtzer in support of the motion for a continuance) and the circumstances of this case, that without this continuance the defendant will be prejudiced and the ability to properly prepare for trial would be

1 impaired. Failure to grant a continuance under these circumstances would result in a
2 miscarriage of justice. The ends of justice would best be served by the granting of the
3 motion for continuance to ensure continuity of counsel and adequate trial preparation.
4 The ends of justice outweigh the best interests of the public and the defendant in having
5 the matter brought to trial sooner.

6 For these reasons, the court finds the defendant's motion for continuance
7 should be granted.

8 The pre-trial motions cutoff date presently scheduled for December 30,
9 2014 shall be stricken.

10 The pre-trial motions cutoff date shall be scheduled for January 15, 2015.

11 IT IS SO ORDERED.

12 DONE this 23rd day of December, 2014.

13
14 

15 BENJAMIN H. SETTLE
16 United States District Judge

17 Presented by:

18 HESTER LAW GROUP, INC., P.S.
19 Attorneys for defendant

20 By: /s/ Brett A. Purtzer
21 Brett A. Purtzer
22 WSB #17283
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